

REMARKS

The specification has been amended to add section headings.

Claim 13 has been amended to correct an informality therein.

Claims 1-21 were rejected on the ground of nonstatutory obviousness-type double patenting over the claims in U.S. Patent 7,033,261. A Terminal Disclaimer accompanies this response in the Appendix, and withdrawal of the rejection is respectfully requested.

Claims 1-21 were rejected as anticipated by or obvious over BOSCH EP 1 291 134 A1. Reconsideration and withdrawal of the rejection are respectfully requested.

BOSCH discloses a grinding plate 14 for a machine 10 such as an eccentric grinder or a manual vibrating grinder. The grinding plate 14 includes a central hub 16 having a central bore through which passes a screw 15 for fastening the grinding plate 14 to a driving shaft 13 of machine 10. Hub 16 centers an elastic annular platen 22 which is the essential element of a bearing plate 18. Elastic platen 22 has a teeth profile 34, radially directed towards the inside, including spaces 36 and flat teeth 38 forming a tongue. Teeth 38 engage in their internal radial end in the external periphery of hub 16. Elastic platen 22 is coated on both sides by polyurethane foam or the like and form with the foam the bearing plate 18 covered by a foam cushion 20.

On the interior face, the foam cushion 20 carries a gluing coating 27 on which can be secured a grinding sheet 29. Elastic platen 22 makes it possible to operate on normal or reverse mode. If, in the flat position of grinding plate 14, a further push is made, plate 14 comes to a click and takes an upside down curved form, that is passed from the concave form (Figure 1) to the convex form (Figure 2). The elasticity of platen 22 enables grinding plate 14 to easily adapt to a given contour, whether it is concave, flat or convex when the elastic platen has a forces-deformations curve such as the one illustrated on Figure 7 or only concave and convex forms when the forces-deformations curve is of the type illustrated on Figure 1 (on these figures, the central vertical line corresponds to the flat position of grinding plate 14).

In the tool subject matter of claim 1 of the present application, the return spring means (15) and the peripheral portion (14) of the flexible buffer (6) forms a means for stabilizing the tool during surfacing, the tool being adapted to perform surfacing essentially at the level of the central portion (6a) of the buffer (6).

It should be observed that the elastic platen 22 disclosed by BOSCH enables grinding plate 14 to perform surfacing essentially at the level of the peripheral portion of grinding sheet 29. No grinding can be made by sheet 29 at the level of

central hub 16, because of the hole for housing the head of screw 15.

Thus, BOSCH does not disclose that the tool is adapted to perform surfacing essentially the central portion, and claims 1-21 avoid the rejection under §102.

It should be further observed that the providing, in a surfacing tool, of simple return means forming, in combination with the peripheral portion of the buffer, means for stabilizing the tool during surfacing, the tool being more generally adapted to perform the surfacing essentially at the level of the central portion of the buffer, goes directly against the teaching of BOSCH, which cannot but lead the man skilled in the art away from the tool subject matter of claim 1.

Claims 22-23 have been added. Claim 22 is allowable because BOSCH does not disclose that an entirety of the end surface (13) of the rigid support (4) is at a same level so that an entirety of the end surface bears against the interface (5), thereby causing the tool to perform surfacing essentially in the central portion (6a). By contrast, and as explained above, BOSCH discloses a device that surfaces at the periphery, not the center. Indeed, the support 16 in BOSCH is hollow in the center (not at the same level) to make room for the screw 15. Claim 23 is further allowable because BOSCH discloses that the foam cushion 20 does not cover the center of central hub 16, again to make room for the screw 15.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

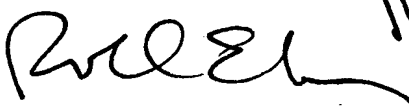
Please charge the terminal disclaimer fee of \$130 to Deposit Account No. 25-0120.

Please charge the fee of \$100 for the two extra claims of any type added herewith, to Deposit Account No. 25-0120.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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TWP/lk

APPENDIX:

The Appendix includes the following item:

- a terminal disclaimer